

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RUBEN FIGUEROA,

Plaintiff,

v.

KEN CLARK, et al.,

Defendants.

No. 1:22-cv-01200-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(ECF Nos. 2 & 8)

ORDER DISMISSING ACTION WITHOUT  
PREJUDICE

ORDER FOR CLERK TO CLOSE CASE

Ruben Figueroa (“Plaintiff”) is a state prisoner (or former state prisoner) proceeding *pro se* in this in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 23, 2022, the assigned magistrate judge entered findings and recommendations, recommending that “[t]his action be dismissed, without prejudice, as duplicative of Figueroa II and Figueroa III,” and that “Plaintiff’s application to proceed *in forma pauperis* (ECF No. 2) be denied as moot.” (ECF No. 8, p. 3).

Plaintiff was provided an opportunity to file objections to the findings and recommendations. The deadline for filing objections has passed and Plaintiff has not filed objections or otherwise responded to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the

1 Court finds the findings and recommendations to be supported by the record and proper analysis.

2 Accordingly, IT IS ORDERED that:

- 3 1. The findings and recommendations issued on September 23, 2022, are adopted in  
4 full;
- 5 2. This action is dismissed, without prejudice, as duplicative of Figueroa v. Clark,  
6 E.D. CA, Case No. 1:22-cv-00900, and Figueroa v. Clark, E.D. CA, Case No.  
7 1:22-cv-00916;
- 8 3. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is denied as moot;  
9 and
- 10 4. The Clerk of Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: December 2, 2022

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14 SENIOR DISTRICT JUDGE  
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